

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

February 24, 2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CV. 01-00182HG-LEK

CASE NAME: CAROL J. NELSON vs. ALAN JONES, et al.

ATTYS FOR PLA: Enver W. Painter, Jr.

ATTYS FOR DEFT: Robert E. Chapman

INTERPRETER:

JUDGE: Helen Gillmor

REPORTER: Stephen Platt

DATE: February 24, 2006

TIME: 10:00 - 10:35

**COURT ACTION: MOTION FOR CLARIFICATION AS TO REMAINING PARTIES
AND CLAIMS BY DEFENDANT ROBERT ALAN JONES -**

Based on the language of the January 18, 2005 Order of the Court of Appeals for the Ninth Circuit (Case No. 03-16542) and upon review of the issues presented by appellant in his opening brief on appeal, the Court finds that the January 18, 2005 Order of the Court of Appeals for the Ninth Circuit did not appear to vacate the Court's February 19, 2003 "Order Granting Plaintiff Carol J. Nelson's and Counterclaim Defendant Michael Cetraro's Motion for Summary Judgment and For Expungement of Lis Pendens Filed August 28, 2002" in its entirety. In two paragraphs the Court of Appeals for the Ninth Circuit limited its Order by specifying that its ruling was "[t]o the extent that . . . "

Defendant Jones, however, is permitted to review the appellate brief and record and to bring to the Court's attention any aspect of the appellate proceeding that Defendant Jones believes contradicts this Court's finding.

Defendant Jones has until on or before **March 10, 2006** to file his papers.

Plaintiff Nelson has until on or before **April 21, 2006** to file any papers in response.

Submitted by: David H. Hisashima, Courtroom Manager

cc: The above-listed attorneys
Judge Gillmor's chambers